

S.B.Civil Writ Petition NO.5757/2004

Lakhmi Chand

vs

ADJ, Nimbahera & Ors.

DATE OF ORDER : - 17.12.2004

HON'BLE MR. PRAKASH TATIA,J.

Mr. R.S.Chundawat,for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the order dated 18th Nov., 2004 passed by the Addl. District Judge (Fast Track) Court No.2, Pratapgarh Came Nimbahera by which the petitioner's application filed under Order 1 Rule 10 CPC for becoming party in the suit filed by Shambhoo Bai and others against Pooranmal for partition of the properties, was dismissed.

The trial court held that the applicant-petitioner has submitted application without disclosing when and how the petitioner purchased the property situated in village Kanera.

I perused the facts mentioned in the application submitted by the

petitioner under Order 1 Rule 10 CPC. It is clear from the facts mentioned in the application that there is no material particular in the application even about the purchase of the property by the petitioner. Therefore, the trial court has not committed any illegality in rejecting the application.

I do not find any merit in this writ petition. Hence, the writ petition of the petitioner is dismissed.

(Prakash Tatia), J.

c.p.goyal/-